

EXHIBIT 62

Robert Freitag

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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

CHARLES JOSEPH FREITAG,	:	NO. 2:19-cv-05750-JMG
JR., as Administrator of	:	
the ESTATE OF CHARLES	:	
JOSEPH FREITAG, SR.,	:	
Plaintiff	:	
	:	
vs.	:	
	:	
BUCKS COUNTY; PRIMECARE	:	CIVIL ACTION - LAW
MEDICAL, INC.; STEPHAN	:	
BRAUTIGAM, PMHNP;	:	
JESSICA MAHONEY, PSY.D.;	:	
AVIA JAMES, LPC;	:	
CHRISTINA PENGE, LPC;	:	
CORRECTIONAL OFFICER	:	
MOODY; CORRECTIONAL	:	
OFFICER MURPHY; and	:	JUDGE JOHN M. GALLAGHER
CORRECTIONAL OFFICER	:	
YOUNG,	:	
Defendants	:	

ZOOM DEPOSITION OF ROBERT FREITAG

DATE AND TIME: Thursday, January 28, 2021
at 9:30 a.m.

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1 other way.

2 Q. Anything other than that, anything that
3 he said, anything you heard him say, any observations
4 about his demeanor, anything at all along those lines?

5 A. No, just was based on the outcome of the
6 sentencing.

7 Q. Got it. After he -- approximately what
8 time did the sentencing conclude and he was removed from
9 the courtroom? Do you have a ballpark figure for me?

10 A. Yeah, it was probably around lunchtime,
11 I would think, around 12 o'clock maybe, between 11 and
12 12, I would say.

13 Q. Sure. And I know we have a transcript,
14 so I'm sure the times are on there.

15 Now, after he was escorted out of the
16 courtroom, did you speak with him at all the remainder of
17 that day?

18 A. Not personally, but he did call me after
19 he got back to the prison, yes.

20 Q. And did he leave a message for you?

21 A. No, I actually spoke with him.

22 Q. Oh, okay. All right, I misunderstood you
23 when you said you didn't speak personally. So it wasn't
24 face-to-face, but it was on the phone?

25 A. Correct. Yes.

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1 Q. What did he say to you when you had this
2 phone conversation with him?

3 A. And this would have been the last time I
4 spoke with him, too.

5 Q. That was gonna be my next question, so
6 thank you for that.

7 A. Yeah. Just he thanked me for getting so
8 many people in the courtroom on his behalf, said that he
9 loved me, said that he would probably be on Social
10 Security by the time he gets out, was kinda relieved
11 that he kinda was done with -- with the court
12 proceedings.

13 Q. How long did the conversation last, sir?

14 A. I would say 10, 15 minutes maybe.

15 Q. Anything else that you can recall as far
16 as the substance of the conversation?

17 A. I recall just telling him now that he --
18 you know, now that this is all done, he can move forward
19 and put this past him.

20 Q. What was his response to you when you
21 brought that up to him?

22 A. I'm trying to remember. Yeah, I -- I --
23 I don't recall. I mean, I just know he figured he
24 wasn't gonna be out anytime soon, and that he was going
25 to be collecting Social Security by the time he got out.

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1 Q. Was that just in relation to what his age
2 was going to be, or was he already thinking that would be
3 his income when he got out of prison since -- of his
4 prior concerns about his job?

5 A. I think he was just thinking based on
6 the amount of years he would have to serve for his term,
7 like he would -- you know, he would be at the age where
8 he could collect Social Security.

9 Q. Did he --

10 A. Like he knew his job was done.

11 Q. Did he say anything to you that you were
12 concerned that he may hurt himself?

13 A. No. No. I mean, especially when he
14 mentioned about the Social Security and now I'm
15 thinking, all right, well, good, he's looking ahead, you
16 know, so I really didn't think anything.

17 Q. That was going to be my question, was
18 that it seems if he's thinking about release, that was
19 forward thinking. Were there any --

20 A. Yes.

21 Q. Were there any other comments that -- you
22 know, that you can -- that you perceived as him being
23 forward thinking and kinda game planning for his
24 post-release life?

25 A. Not that I can recall.

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1 Q. What was his tone like? What was his
2 tone of voice like?

3 A. It was -- it was actually better than I
4 expected, knowing what, you know, was just handed down
5 to him, you know, so I -- it was -- it was better than I
6 expected.

7 Q. So it seems to me that after this phone
8 conversation you didn't have a concern that he was going
9 to harm himself?

10 A. I did not have that impression, no.

11 Q. And, again, that's based upon he's
12 thinking ahead about his Social Security and his tone of
13 voice was actually better than you had expected?

14 A. Correct.

15 Q. Anything else about the phone call that
16 we haven't talked about, sir?

17 A. I'm trying to run it through my brain.
18 No, I mean, other than him feeling, you know, very
19 thankful at the amount of people that showed up and --
20 and -- and the character witnesses' statements, you
21 know, but I know he did feel bad about kinda being
22 grilled a little bit by the Judge and -- and the -- and
23 the ADA.

24 Q. Now -- and you said that was the last
25 time that you spoke with him. Is that correct?

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1 A. Correct.

2 Q. Are you aware of anybody else speaking to
3 him between that phone call and the time of his death?

4 A. I am not, no. I'm not aware.

5 Q. Approximately what time did that phone
6 call happen, sir?

7 A. That would have been probably Friday --
8 that would have been the 24th at around 4:00 maybe, 4
9 o'clock in the afternoon maybe.

10 Q. The records reflect that he returned to
11 the prison sometime around 4:00-ish, you know, a little
12 bit before, a little bit after, something along those
13 lines, so --

14 A. It could have been, yeah, 4:30-ish
15 maybe.

16 Q. And, again, that was the last contact
17 that you're aware of any -- that you or anyone else, as
18 far as you know, had with him from your family or his
19 friends prior to his death?

20 A. I know it was the last contact I had
21 with him, but, yeah, I am not sure about anybody else.

22 Q. You're not aware of it, though?

23 A. Right. Correct.

24 Q. Okay. No one's said to you, yeah, I
25 talked to him or anything like that?